

**REMARKS**

The Office Action mailed November 23, 2009, has been received and its contents carefully considered. Claims 1-12 were pending. Claims 8-11 are withdrawn from consideration as being directed to a non-elected invention. Claims 1-7 and 12 are rejected.

By this response, Applicants have amended claims 1-5 and 7. No statutory new matter has been added. Support for all amendments can be found in the specification.

Also submitted herewith is a Petition for a two-month Extension of Time with the requisite fee.

***Rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph***

Claims 1-7 and 12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner has requested clarification as to the phrases: “second driving unit” in claim 1, “the tape feeding operation” in claim 2, “said double-acting driving unit” in claim 4 and “the double-acting driving unit” in claims 5 and 7.

By this response, Applicants have amended each of claims 1, 2, 4, 5 and 7 to overcome the indefinite rejection. Withdrawal of the rejection as to claims 1-7 and 12 is earnestly solicited by Applicants.

***Claim Rejections under 35 U.S.C. 103 (a)***

I. Claims 1-2 and 5-7 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nagasawa (JP 10-273107) in view of Omura et al. (U.S. 4,374,463). The rejection is respectfully traversed.

As an initial matter, it is submitted that the claimed invention describes a compact device that utilizes driving units (*i.e.*, cylinders aligned with their respective units) rather than using motors and cams. In the technical field of endeavor, there is an increasing demand for small-lot-multiple item production. See PG Publ. 2006/0093794, para [0017]. For this demand, a variety of tape materials are required to form different types of tapes. In order to do so, it is necessary to adjust and set the tape feeding amount in different ways with high precision (*e.g.*, order of

microns). Downtime is eliminated because cams do not have to be interchanged for different tape lengths. Rather, the controller adjusts the timing for driving/stopping the driving units. By so doing, Applicants' invention has more space available for storing and setting a greater length of tape at one time.

A. Regarding independent claim 1, Nagasawa fails to disclose the claimed first and second double-acting driving units. The Office Action asserts that reference elements 33a and 34a are equivalents of the claimed first and second double-acting driving units. See Drawing 1 of Nagasawa. The Office Action admits that reference elements 33a and 34a "both have an up and down motion to reciprocally support the upper and lower sides of the tape". See pg. 5. As illustrated in Drawing 1, reference element 33a is composed of two (2) driving unit components and reference element 34a is composed of two (2) driving unit components. The two components that comprise each driving unit 33a and 34a, respectively, are perpendicular with respect to the feeding direction of the tap.

By contrast, Applicants first and second driving units are aligned with a feeding direction of the tape. For instance, the feeding direction of the tape is along the horizontal axis as exemplarily illustrated in FIG. 1 of Applicants' specification. The driving units 21 and 22 also are aligned along the horizontal axis. Hence, the device can be made more compact, *supra*. Because Nagasawa's driving units are perpendicular with respect to the feeding direction of the tape, Nagasawa simply fails to describe the claimed arrangement featuring "*a first double-acting driving unit **aligned** with a feeding direction of the tape...*" and "*a second double-acting driving unit **aligned** with the feeding direction of the tape...*". Therefore, amended claim 1 patentably distinguishes thereover.

In addition, Applicants submit that Nagasawa's purported first and second driving units are not fluidly operated. Specifically, the English Machine Translation of Nagasawa indicates that reference elements 33a and 34a are movable zippers.

On the other hand, Applicants first and second double-acting driving units use a fluid that is used in the feeding cylinders for moving the tape from the tape paying-out unit to the tape taking-up unit. See FIG. 1; See also para. [0081] of PG Publ. 2006/0093794. Consequently,

Applicants' driving units which are fluidly operated require specific structural dimensions for purposes of paying-out greater lengths of tape at one time in a compact device. Since Nagasawa's movable zippers are structurally distinct from Applicants' above-mentioned driving units, amended claim 1 further patentably distinguishes thereover.

**B.** Regarding claims 5-6, Applicants submit that Nagasawa's tape holding means is not aligned with a feeding direction of the tape. See Drawing 1. Specifically, Nagasawa's purported tape holding means 33b is described in the English translation as a fixed zipper. The fixed zipper 33b is composed of two (2) components, similar with the movable zipper limitation, and is aligned perpendicular with the feeding direction of the tape.

To further distinguish thereover, Applicants have amended claim 5 to recite, "*wherein the tape feeding unit includes a tape holding means aligned with a feeding direction of the tape and is movable back and forth in unison by the first double-acting driving unit for the tape feeding unit and a stopper for restricting a position of the tape holding means thereby to adjust a feeding amount of the tape*". Because Nagasawa simply fails to describe the claimed structural arrangement of the present invention to obtain a compact device, amended claim 5 patentably distinguishes thereover. Further, Omura fails to alleviate Nagasawa's deficiencies in this regard.

**C.** Regarding claim 7, Applicants urge that the Office Action has failed to cite a specific reference element for "a connecting member". Applicants review of Nagasawa suggests that the features of "*a connecting member for connecting the pair of tape holders together*" also is absent. That is, the pair of tape holders described in the Office Action to be reference element 33b in Nagasawa are not connected by a connecting member.

To the contrary, Applicants' tape holders, 10, as exemplarily illustrated in FIG. 1, are connected by a connection plate 27. Because Nagasawa simply fails to teach or suggest this feature, claim 7 patentably distinguishes thereover. It is also submitted that Omura fails to remedy Nagasawa's deficiencies in this regard.

In view of the foregoing, Applicants earnestly request reconsideration and withdrawal of the rejection as to claim 1, and claims 2 and 5-7, dependent thereon.

**II.** Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasawa in view of Omura in view of Larsen et al. (U.S. 5,389,190). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasawa in view of Omura and Teed (U.S. 3,984,272). Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasawa and Nakajima (U.S. 4,578,140). None of Larsen, Teed or Kanehara remedy the deficiencies of Nagasawa and Omura with respect to the features of claim 1. Since each of claims 3, 4 and 12 directly depend upon claim 1, Applicants advance arguments made for claim 1 herein. Therefore, each of the obvious rejections with respect to claims 3, 4 and 12 must fail. Reconsideration and withdrawal of the rejections as to claims 3, 4, and 12 are kindly requested by Applicants.

### CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Therefore it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for all allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-4300, Attorney Docket No. 0033036.086.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: Rayan B. Patel #58.402  
for Thomas G. Wiseman, Reg. No. 35,046  
1130 Connecticut Avenue; Ste. 1130  
Washington D.C. 20036  
Telephone: (202): 263-4300  
Facsimile: (202): 263-4320

Dated: April 23, 2010

SGRDC\370552.1